

TWC/2017/0204

Land adjacent Belvedere Court, Hinkshay Road, Dawley, Telford, Shropshire  
Reserved matters application for the erection of 152no. dwellings including details for access, appearance, landscaping, layout and scale

**APPLICANT**

Countryside Properties PLC,

**RECEIVED**

10/03/2017

**PARISH**

Great Dawley

**WARD**

Malinslee and Dawley Bank

**OFFICER** Matthew Thomas

**OBJECTIONS RECEIVED: YES**

**1.0 THE PROPOSAL**

1.1 This Reserved Matters application is made by Countryside Properties Ltd and seeks approval of details for 152 dwellings together with associated access, appearance, landscaping, layout and scale pursuant to Outline Application TWC/2013/0592 which was granted permission in October 2014 for up to 165 dwellings with associated open space and infrastructure on the site formerly occupied by the Ever Ready factory.

1.2 The scheme comprises the following housing mix;

Open Market

45no. Three Beds, and

29no. Four Beds,

**74no. Total**

Private Rental

11no. Two Beds,

59no. Three Beds, and

8no. Four Beds

**78no. Total**

1.3 Each dwelling would be served by off-street parking, either within the plot or small communal parking areas.

1.4 The application is accompanied by a Contamination Piling Risk Assessment, Geo-environmental Site Assessment with Remediation Strategy, Transport Assessment, Flood Risk Assessment, Arboricultural Statement, Archaeological Watching Brief, Ecological Appraisal, Mitigation and Management Plan and a Design & Access Statement.

1.5 During the course of the application, the following amendments were received following Officer and consultee concerns;

- Amendments to drainage scheme as requested by the Council's Drainage Engineer.
- Revised Landscaping Plan.
- Submission of Coal Mining Risk Assessment

**2.0 SITE AND SURROUNDINGS**

- 2.1 The site is situated off Hinkshay Road, Dawley and extends to 4.3 hectares in area. The land is dissected by an unadopted lane which runs North-West to South-East through the site giving access to Hinkshay/Stirchley Pools within the Town Park and is bordered by established hedges. The North-Eastern half of the site formerly comprised a factory site and sewage works which was demolished in the 1990's.
- 2.2 Between 1956 and 1995, part of the site was occupied by an Ever Ready Dry Cell Factory which employed up to 1100 staff. Following demolition of the factory in 1995, partial clearance of the site was undertaken around the main building. The floor slab to the factory and the tarmac circulation areas remain in situ below the current surface.
- 2.3 The site comprises both brownfield and greenfield land delineated by hedgerows and comprising a variety of habitats and is roughly level in terms of topography on the old factory site. The landscape locally tends to slope to the South-East and the greenfield element of the site is noticeably lower than the brownfield element.
- 2.4 The nearest residential properties are the newly built properties fronting Hinkshay Road on the former White Hart Public House site, yet the site has a largely rural feel with the extent of the surrounding Town Park with its excellent access to rights of way and local nature reserves. The site is considered to be in highly sustainable location approximately 1 kilometre to the south of Telford town centre and 1 kilometre to the east of Dawley district centre, and therefore benefits from close proximity to the amenities that these centres provide.

### **3.0 PLANNING HISTORY**

- 3.1 W2007/0870 - The White Hart Public House, Hinkshay Road, Dawley – Conversion of existing public house into 2 dwellings, erection of 12 dwellings, associated landscaping and alteration to existing vehicular access - Granted 27/09/07
- 3.2 TWC/2010/0513 – The former White Hart Public House, Hinkshay Road, Dawley – Erection of 14 no. dwellings - Granted 24/06/11
- 3.3 TWC/2013/0592 - Outline planning application for up to 165 dwellings and associated open space and infrastructure – Granted 03/10/2014

### **4.0 PLANNING POLICY CONTEXT**

- 4.1 National Planning Guidance:  
National Planning Policy Framework
- 4.2 Core Strategy:
  - CS1 Homes
  - CS8 Regeneration
  - CS9 Accessibility and Social Inclusion
  - CS11 Open Space
  - CS12 Natural Environment
  - CS13 Environmental Resources
  - CS15 Urban Design
- 4.3 Wrekin Local Plan:
  - EH7 Contaminated Land
  - EH8 Remedial Action on Contaminated Land
  - UD2 Design Criteria
  - UD3 Urban Design Assessments

UD4 Landscape Design  
H6 Windfall sites in Telford  
T4 Development Principles  
T22 Planning Obligations  
OL11 Woodlands and Trees  
OL12 Open Land and Landscape: Contributions from New Development  
OL13 Maintenance of Open Space

- 4.4 Telford & Wrekin Local Plan (Submission version):
- SP1 Telford
  - SP4 Presumption in favour of sustainable location
  - HO1 Housing requirement
  - HO4 Housing Mix
  - HO5 Affordable Housing thresholds and percentages
  - BE1 Design Quality
  - C3 Impact of development on highways
  - C5 Design of parking
  - NE1 Biodiversity and Geodiversity
  - NE2 Trees, Hedgerows and woodlands
  - BE10 Land Contamination
  - ER8 Waste planning for residential developments
  - ER12 Flood risk management

## 5.0 SUMMARY OF CONSULTATION RESPONSES

### Standard consultation responses

- 5.1 Great Dawley Parish Council: No comments received
- 5.2 Highways: Support subject to conditions
- Parking, loading, unloading & turning
  - Visibility Splays (2.4m x 43m)
  - Construction detail of all new roads & footways
  - On-site construction
  - Details of off-site highway works
  - Include highways informative
- 5.3 Drainage: Support subject to conditions
- Scheme of foul and surface water drainage
  - SUDS Management Plan
  - Exceedance flow routing plan
- 5.4 The Coal Authority: Object
- Further information required regarding locations of mine shafts prior to stabilisation, capping and designation of appropriate 'no build' zones
- 5.5 Contaminated Land/Environmental Health: Comment
- Satisfied with Construction Environmental Management Plan submitted and methods set out in the plan to reduce the risk of adversely affecting the nearby residents' amenities
- 5.6 Urban Design: Object
- The proposed scheme is disappointing and appears to be focussed on capacity and engineering rather than responding to the site, its context and the promotion

of placemaking. Whilst it is acknowledged that parking issues are important and need to be satisfied, they would appear to dominate this scheme to the detriment of the quality of the built and natural environment; furthermore the combination of these aspects with the proposed use of standard dwelling types are unlikely to do little to respect, respond or enhance this locality and thereby satisfy the relevant design policies; consequently these proposals should be resisted in its current form.

- 5.7 Ecology: Comment – include following conditions
- European Protected Species Licence
  - Ecological Survey – works in accordance with Protected Species Survey
  - Ecological Mitigation Strategy and Method Statement
  - Badger Disturbance licence
- 5.8 Arboricultural: Comments awaiting
- 5.9 Archaeology: Comment – confirm approval of the Written scheme of Investigation for a programme of archaeological works and satisfied that all necessary archaeological condition precedents have been fulfilled to allow construction to proceed
- 5.10 Shropshire Fire Service: Comment – include Fire authority informative
- 5.11 West Mercia Police: Comment – condition Secure by Design

#### Neighbour consultation responses

- 5.12 Direct notification was carried out to all adjoining and adjacent premises, in addition to Press and Site Notices. 16 objections have been received (5 of these are duplicates or additional letters from the same property, 3 letters of support subject to conditions and 2 letters raising comments. The issues raised are summarised below:
- Adverse impact on residential amenity as a result of loss of privacy and sun/daylight compounded by differentiation in ground levels
  - Disruption for residents from noise, pollution, fumes and smells during construction – confirmation of working hours required
  - Concerns regarding existing drainage infrastructure – flooding is already an issue in and around the site
  - Concerns regarding proposed access, inadequate on-site car parking, additional traffic to and from the site and Finger Road, potential for additional 300+ cars, vehicle speeds, potential adverse impact on highway and pedestrian safety, lack of pedestrian crossings/traffic calming and concerns regarding access for emergency vehicles
  - Ground conditions – land is heavily contaminated having previously being occupied by the Ever Ready factory. What threat is posed to existing residents from known hazardous materials?
  - Loss of trees – developer has already cleared the site – adverse impact on local wildlife – what compensatory measures are proposed?
  - Development will be out of character with area and adjacent Town Park– adverse impact on local heritage – high density development
  - Design and character of properties are more in-keeping with Lawley rather than the rural nature of Hinkshay Road
  - Overdevelopment of the site – number of homes is too high for this narrow and winding lane – not reflective of existing built form

- Lack of information relating to social/affordable housing – are the developers required to make a payment to off-site affordable housing?
- Security issues - potential anti-social behaviour – pathway behind Belvedere Court may be used as a cut through for non-residents
- The Coal Authority has objected to this application – how is this being dealt with? Concerns regarding land stability, contamination and pollution
- Traffic calming measures required to ensure highway safety
- Presence of underground tunnels – lack of information relating to these
- Developers need to make all potential purchasers aware of the nature of land contamination, proximity to mine entries and floodplains
- Whilst there may be a requirement for the Council to meet housing numbers, this should not be to the detriment of existing communities

## **6.0 PLANNING CONSIDERATIONS:**

6.1 Having regard to the development plan policy and other material considerations, the planning application raises the following main issues;

- Principle of development
- Impact on character of surrounding area
- Trees and Landscaping
- Ecology
- Contaminated Land
- Drainage
- Design of internal estate road and parking provision
- Impact upon residential amenity
- Planning Obligations

### Principle of Development:

6.2 The principle of housing on this site is acceptable, and was established by the outline consent in 2014. This approval was subject to a S106 agreement which secured the following financial contributions:

- £150,000 towards off-site affordable housing
- £150,000 towards recreation and leisure
- £200,000 towards primary education facilities
- £45,000 for the adoption of the informal public open space

6.3 An appropriate housing mix is provided to fulfil a demand for both market and private rental units. The development is in accordance with Core Strategy policies CS1 and CS3, CS5, CS8, CS9, Wrekin Local Plan policy H6, and Telford & Wrekin Local Plan policies SP1, SP4 and HO1 and HO4.

### Impact on character of surrounding area

6.4 The scheme which has been subject to extensive pre-application negotiations would be built to a density of 35 dwellings per hectare (dph), which given the varied nature of house types in the vicinity is considered appropriate for this area.

6.5 The proposed development would be carried out across two distinct parcels of land, separated by the lane to Hinkshay/Stirchley Pools and a recent housing development known as Belvedere Court and would be connected by an area of landscaped public open space. The majority of the plots fronting Hinkshay Road will take direct access off the highway with the remainder of the development being accessed by three priority

junctions. The north-eastern half of the development will see a variety of house types fronting the Hinkshay Road which will provide differing roof heights and styles to assist in maintaining the mix of properties within the area. Dual aspect properties will be positioned at corner plots addressing the access points to provide active frontages and to avoid blank elevations. This varying character is reflected in the south-eastern half of the scheme also where there is a combination of both detached and terraced properties fronting the highway. Gatehouse style properties will be provided either side of the new access, again being dual aspect to provide focal points together with natural surveillance.

- 6.6 Beyond the plots fronting the Hinkshay Road, internal estate roads will become a shared vehicular and pedestrian surface which will navigate their way through the two individual parcels of land flanked by detached and semi-detached houses as well as terraced properties within the southern half of the development site. The scheme comprises pockets of shared private driveways forming cul-de-sac like arrangements where road surfacing shall introduce areas of block paving.
- 6.7 The development will predominately represent a continuation of a two storey built form in a contemporary design with pitched roof form constructed in a mix of brick and render finish. A small number of properties (16) comprising The New Stamford house-type would be 2.5 storeys facilitated by the insertion of roof lights in the front and rear. Proposed boundaries include 1.8m close board fencing, knee rail fencing, 1.8m screen walls with 1.1m high hooped metal railings. The development would not harm the wider character and appearance of the area.
- 6.8 Given that all of the properties will be dwellings benefiting from private domestic gardens there is no requirement to make special provision for bin or cycle storage.
- 6.9 It is therefore concluded that there would be no conflict with saved Wrekin Local Plan Policies H6 and UD2, Core Strategy Policies CS 1 and CS 15, and Telford & Wrekin Local Plan (2031) Policies SP1, SP4 and BE1. These policies seek appropriate design quality which relates to its context whilst positively influencing the use and appearance of the local environment. The policy aims are consistent with the National Planning Policy Framework.

#### Trees and Landscaping

- 6.10 A Landscape Masterplan, Enclosures Layout and Detailed Soft Landscaping plan have been submitted and has been subject to amendments during the course of the planning application in line with officer requirements. In respect of trees a Tree Survey Plan has been provided together with an Arboricultural Statement and Preliminary Tree Survey Schedule.
- 6.11 The landscaping offered within private domestic curtilages fronting the estate road would provide a softening of the scheme and a visual break between the dwellings and hard surfaced areas. A significant number of trees have already been removed from the site and the developer is currently in discussions with the Council's Arboriculture Officer to agree on a tree replanting scheme to compensate for the loss of trees on site. Officers will update members on progress of these discussions or alternatively this can be dealt with through conditions. All trees planted in or adjacent to hard standing will have root mitigation product in the form of root deflectors or barriers. This is to abate surface roots becoming a nuisance or hazard as the trees mature.
- 6.12 As secured through the S106 agreement, the developer is required to pay £45,000 for the adoption and on-going maintenance of the informal Public Open Space. These

will be implemented either prior to completion of 65% of the dwellings or within 5 years of commencement of development whichever is sooner. There are no other areas of incidental open space and therefore all landscaping would be located within private domestic curtilages.

- 6.13 It is therefore concluded that there would be no conflict with saved Wrekin Local Plan policies UD4, OL11, OL12, OL13 and LR4, Core Strategy policies CS11 and CS12 and Telford & Wrekin Local Plan (2031) policy NE2. These policies seek to protect and enhance the natural environment of the Borough from development and enhance outdoor recreation facilities. The policy aims are consistent with the National Planning Policy Framework.

#### Ecology

- 6.14 The application has been supported with a suite of ecological surveys including habitat surveys, Great Crested Newt surveys, Reptile surveys and Mitigation, Bat surveys and Ecological Mitigation Strategies. The developers have engaged in extensive discussions with the Council's ecologist throughout the process of this planning application in order to satisfactorily address all aspects of wildlife preservation together in discharging the ecology conditions imposed to the outline consent. Whilst the Ecologist is still waiting on final landscaping proposals for this site and the associated habitat management plans, as these can be dealt with through conditions, no objections have been raised to the proposals from ecology.
- 6.15 It is therefore concluded that there would be no conflict with Core Strategy Policy CS12 Natural Environment and Telford & Wrekin Local Plan (2031) Policy BE1 Biodiversity and Geodiversity. These policies seek to protect and enhance the natural environment of the Borough from development. The policy aims are consistent with the National Planning Policy Framework.

#### Contaminated Land/Ground conditions

- 6.16 The application has been submitted with a scheme for soil gas mitigation measures and remediation which has been assessed as satisfactory by the Council's Public Protection Team. As such, parts a) and b) of Condition 9 (Land Contamination) have been discharged. The developer has been liaising directly with the Coal Authority in light of the objections submitted. The Local Planning Authority understands that the required information relating to the locations of mine shafts and the appropriate stabilisation, capping and designation of appropriate 'no build' zones have been agreed in principle and are awaiting confirmation of this from the Coal Authority. Members will be updated at committee.
- 6.17 It is therefore concluded that there would be no conflict with saved Wrekin Local Plan Policies EH7 and EH8, and Telford & Wrekin Local Plan (2031) Policy BE1. These policies seek to safeguard the future occupiers of the site and are consistent with the National Planning Policy Framework.

#### Drainage

- 6.18 The developers have also been in on-going discussions with the Council's Drainage Engineers to establish key principles for site drainage. A Drainage Strategy Plan has been submitted. Whilst this has largely been agreed by the Council's Drainage Engineers, the final strategies are currently being considered and members will be updated of any additional requirements.

- 6.19 It is therefore concluded that there would be no conflict with Core Strategy policy CS13 and Telford & Wrekin Local Plan (2031) policies ER11 and ER12. These policies seek to avoid an increased risk of flooding and to avoid any adverse impacts of additional demand on the existing foul sewerage network. The policy aims are consistent with the National Planning Policy Framework.

#### Design of internal estate road and parking provision

- 6.20 The development would provide a minimum of 2 car parking spaces per dwelling, providing a minimum of 304 on site car parking spaces. Once adopted, the parking standard in the emerging Telford and Wrekin Local Plan would be for 343 spaces. As such, the proposed 39 spaces under that prescribed in the emerging Local Plan. However, the scheme does make provision for a minimum of two spaces per dwelling, with some plots benefiting from 3 spaces. In respect of 2 and 3 bed units the scheme is compliant with the emerging parking standards. Officers are satisfied that the scheme will not result in a highway safety issues as a result of the slight under provision given the site's location within the suburbs of a the town centre. Bus routes, local schools, leisure centres and play areas are all within easy walking distance. As such there are sustainable transport options in this location as an alternative to car, including a bus stop 500m away along Finger Road, pedestrian and cycle links along the Silkin Way route, and accordingly officers accept the small shortfall in parking provision on this development.
- 6.21 Technical details have been submitted in order to satisfy the requirements of the Local Highways Authority including traffic calming measures along Hinkshay Road. These features will comprise a raised table at each of the three access points, a pedestrian ramp and crossings where the road meets the Public Right of Way together with improvements to the mini-roundabout at the junction with Finger Road. These key principles have been agreed with the Local Highways Authority who now offer support for the proposals subject to conditions as detailed above.
- 6.22 It is concluded that there would be no conflict with saved Wrekin Local Plan Policies UD2 and H6, Core Strategy Policies CS 9 and CS 15, and Telford & Wrekin Local Plan Policies BE1, C3 and C5. These policies seek adequate access and car parking provision to new development which preserves highway safety and the details.

#### Impact upon residential amenity

- 6.23 In respect of the impact of the scheme on the occupants of neighbouring properties, the site has common boundaries with a number of properties on the adjacent development at Belvedere Court and has been designed to ensure satisfactory separation distances to existing dwellings. The area of public open space is situated to the south-east and to the rear of these neighbouring properties with separation distances well exceeding the 21m which is considered as best practice. Similarly the rear gardens of plots 103-109 will back on to the gardens of neighbouring properties at Belvedere Court with separation distances of approximately 20m being achieved. Even when the small difference in levels is taken into consideration, the scheme is not considered to have a significant detrimental impact on the occupants of these neighbouring properties.
- 6.24 The layout has also been designed to ensure that all of the proposed houses have an acceptable level of private amenity space (with all of the back gardens have a depth of at least 10m) and that separation distances between the proposed dwellings are acceptable. The proposal has been carefully designed to ensure that there would not

be a detrimental impact on the living conditions of the occupiers of the existing or proposed houses as a result of the development.

- 6.25 A Site Environmental Management Plan has been submitted which includes measures to avoid congestion on the surrounding roads and to protect the amenities of nearby residential areas. These include construction working hours and delivery times of between 08:00 and 18:00 hours Monday – Friday, 08:00 and 13:00 hours on Saturdays with no working on Sundays or Bank Holidays. These are recognised standard construction hours and as there are no special or unusual circumstances in this location it would be deemed unreasonable to shorten these hours. The development will have to be undertaken strictly in accordance with these agreed details.
- 6.26 The proposed development is therefore considered not to have a significant detrimental impact on the amenities of adjacent residential properties and complies with policy CS15 of the Core Strategy and ‘saved’ policy UD2 of the WLP.

## **7.0 CONCLUSION**

- 7.1 The details submitted for reserved matters and discharge of conditions attached to the outline is considered acceptable. The appearance, landscaping, layout and scale of the residential scheme do not have an adverse impact upon the character and appearance of the area and no harm will arise upon the residential amenities of the adjacent neighbours, drainage, ecology, land contamination or highway safety. The development is considered to be acceptable and compliant with local planning policy and the guidance contained within the National Planning Policy Framework.

## **8.0 RECOMMENDATION**

- 8.1 Based on the conclusions above Officer Recommendation is to GRANT RESERVED MATTERS subject to the following conditions:
1. Time Limit (Reserved Matters)
  2. Materials as submitted
  3. Highway related conditions
  4. Landscaping implementation
  5. Ecology conditions
  6. Approved Plans